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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/018,617	
	Filing Date	December 17, 2001	
	First Named Inventor	Howard Yoshihisa Ando, et al.	
	Art Unit	1625	
	Examiner Name	Reyes, Hector M.	
Total Number of Pages in This Submission	39	Attorney Docket Number	5953-01-CA

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Copies of return postcard with OIPE stamp and Applicants' previous submission mailed August 6, 2003
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Claude F. Purchase, Jr.
Signature	<i>Claude F. Purchase Jr.</i>
Date	April 22, 2004

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date <u>April 22, 2004</u>	
Typed or printed	Virginia J. Cook
Signature	<i>Virginia J. Cook</i>
Date	April 22, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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USPTO Fax No. 703-872-9306

FORM PTO-1390 (Modified)
(REV 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

...NEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

5953-01-CA

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

INTERNATIONAL APPLICATION NO.
PCT/IB01/00026INTERNATIONAL FILING DATE
11 January 2001PRIORITY DATE CLAIMED
25 January 2000

TITLE OF INVENTION
**CALCIUM DICARBOXYLATE ETHERS, METHODS OF MAKING SAME, AND TREATMENT OF VASCULAR
DISEASE AND DIABETES THEREWITH**

APPLICANT(S) FOR DO/EO/US

ANDO, Howard Yoshihisa; BUTLER, Donald Eugene; DOZEMAN, Gary Jay

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☒ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 20 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☒ Certificate of Mailing by Express Mail
23. ☒ Other items or information:

Published Specification, WO 01/55078

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.53)		INTERNATIONAL APPLICATION NO. PCT/TB01/00026		ATTORNEY'S DOCKET NUMBER 5953-01-CA	
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24. The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

- ☒ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1040.00
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00
- ☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00
- ☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	51 - 20 =	31	x \$18.00	\$558.00
Independent claims	23 - 3 =	20	x \$84.00	\$1,680.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>				\$0.00
TOTAL OF ABOVE CALCULATIONS =				\$3,278.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$0.00
SUBTOTAL =				\$3,278.00
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				\$0.00
TOTAL NATIONAL FEE =				\$3,278.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>				\$0.00
TOTAL FEES ENCLOSED =				\$3,278.00
				Amount to be: refunded \$
				charged \$

CALCULATIONS PTO USE ONLY

a. ☐ A check in the amount of _____ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 23-0455 in the amount of \$3,278.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 23-0455. A duplicate copy of this sheet is enclosed.

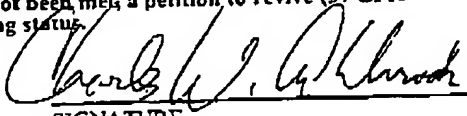
d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

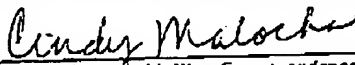
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Charles W. Ashbrook
Registration No. 27,610

Warner-Lambert Company
2800 Plymouth Road
Ann Arbor, MI 48105
Tel. (734) 622-5215
Fax (734) 622-1553


 SIGNATURE
 Charles W. Ashbrook
 NAME
 27,610
 REGISTRATION NUMBER
 17 December 2001
 DATE

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)			Docket No. 5953-01-CA
Applicant(s): Howard Y. Ando, et al.			
Serial No.	Filing Date	Examiner	Group Art Unit
Invention: CALCIUM DICARBOXYLATE ETHERS, METHODS OF MAKING SAME, AND TREATMENT OF VASCULAR DISEASE AND DIABETES THEREWITH			
I hereby certify that the following correspondence: <div style="border: 1px solid black; padding: 10px; text-align: center;">Application for filing under 35 U.S.C. 371 <small>(Identify type of correspondence)</small></div> is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on <u>December 17, 2001</u> <small>(Date)</small> <div style="text-align: right; margin-top: 20px;"><u>Cindy Malocha</u> <small>(Typed or Printed Name of Person Mailing Correspondence)</small>  <small>(Signature of Person Mailing Correspondence)</small> <u>EF378134374US</u> <small>("Express Mail" Mailing Label Number)</small></div>			

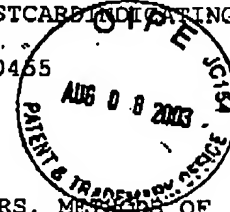
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6. RETURN POSTCARD



INVENTORS: HOWARD YOSHIHISA ANDO, ET AL.
 INVENTION TITLED: " CALCIUM DICARBOXYLATE ETHERS, METHODS OF
 MAKING SAME, AND TREATMENT OF VASCULAR DISEASE AND DIABETES
 THEREWITH " USSN: 10/018,617 FILED: December 17, 2001

AJL:DLH
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August 6, 2003
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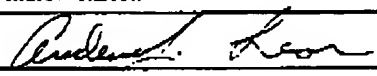
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TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	10/018,617
	Filing Date	December 17, 2001
	First Named Inventor	HOWARD Y. ANDO ET AL
	Group Art Unit	1625
	Examiner Name	REYES, HECTOR, M.
Total Number of Pages in This Submission	Attorney Docket Number	5953-01-AJL

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): Return Postcard Amendment and Response Copies of previously submitted Certificate of Mailing, Transmittal Form, Form 1449 and Return Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Andrew J. Leon
Signature	
Date	8/6/03

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: 8/6/03			
Typed or printed name	Diane L. Heitzler		
Signature		Date	8/6/03

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1 em

THE UNITED STATES PATENT AND TRADEMARK OFFICE IS IN RECEIPT OF A PATENT APPLICATION FOR FILING UNDER 35 U.S.C. 371, NATIONAL FILING OF INTERNATIONAL APPLICATION NO. PCT/IB01/00026 FILED 11 JANUARY 2001, FOR INVENTORS HOWARD YOSHIHISA ANDO, ET AL. FOR INVENTION ENTITLED "CALCIUM DICARBOXYLATE ETHERS, METHODS OF MAKING SAME, AND TREATMENT OF VASCULAR DISEASE AND DIABETES THEREWITH", INCLUDING:

1. TRANSMITTAL LETTER (2 PAGES) **10/018617**
2. COMBINED DECLARATION AND POWER OF ATTORNEY
3. COPY OF INTERNATIONAL SEARCH REPORT
4. COPY OF PUBLISHED WO 01/55078
5. INFORMATION DISCLOSURE STATEMENT WITH ATTACHMENTS

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CA:CM

DECEMBER 17, 2001

PD-5953-01-CA

JCO7 REC'd PCT/PTO 17 DEC 2001

done w/ filing 12/17/01

Docketed	
DATE	<u>3/17/2002</u>
FOR	<u>JDS - CA</u>
CHECKED BY: _____	

cn